

This listing of claims will replace all prior versions, and listings, of claims in the application:

**The Status of the Claims**

1. (Currently amended) A method for fabricating a semiconductor device comprising:

depositing an isolation oxide layer and a first nitride layer on a semiconductor substrate;

forming a trench in an active region by etching a portion of the first nitride layer and a portion of the semiconductor substrate isolation oxide layer to thereby expose the semiconductor substrate in the active region;

~~performing~~ growing an epitaxial growth layer on the active region and depositing a first oxide layer on the epitaxial growth layer;

using a source/drain mask, etching a first portion ~~portions~~ of the first oxide layer such that a second portion of the first oxide layer having to a predetermined thickness remains where a source and a drain are to be formed;

removing the second portion of the first oxide layer where the source and the drain are to be formed and performing an epitaxial growth on the portions where the source and the drain are to be formed to thereby form the source and the drain;

~~depositing a second nitride layer on the source and the drain;~~

using a gate mask, etching a portion of the first oxide layer where a gate is to be formed;

depositing ~~and planarizing~~ a ~~third~~ second nitride layer on the source, the drain and the exposed active region, and etching back the second nitride layer to thereby form a nitride layer to control a length of the gate;

sequentially depositing a gate ~~isolation~~ insulation layer and a gate electrode on the active region; and

depositing a ~~dielectric~~ second oxide layer; and

forming plugs on the source, the drain and the gate.

2. (Original) A method as defined in claim 1, wherein depositing the isolation oxide layer comprises depositing a shallow trench isolation(STI).

3. (Currently amended) A method as defined in claim 1, wherein ~~forming the trench in the active region by etching the first nitride layer and the portion of the semiconductor substrate comprises etching the first oxide layer~~ is deposited to a thickness approximately equal to a thickness of the gate electrode.

4. (Currently amended) A method as defined in claim 1, wherein ~~etching removing the second portion portions of the first oxide layer to the predetermined thickness~~ where the source and the drain are to be formed comprises removing the second portion portions of the first oxide layer where the source and the drain are to be formed with a diluted HF solution.

5. (Original) A method as defined in claim 1, wherein the first oxide layer is etched by an anisotropic dry etching process.

6. (Original) A method as defined in claim 1, wherein depositing the second nitride layer on the source and the drain comprises depositing the second nitride layer to a thickness not less than the thickness of the first oxide layer.

7. (Cancelled)